

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

### EXTRAORDINARY

#### GOVERNMENT OF GOA

##### Department of Personnel

##### Notification

13/54/88-PER(i)

The Government of Goa is pleased to set up the Public Service Commission for the State of Goa with effect from the 30th May, 1988.

By order and in the name of the Governor of Goa.

N. P. Gannekar, Joint Secretary (Personnel).

Panaji, 26th May, 1988.

##### Notification

12/6/87-PER

#### Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988

##### Constitution of India

In exercise of the powers conferred by article 318 of the Constitution of India, the Governor of Goa is hereby pleased to make the following regulations, namely:—

##### Part I — Preliminary

1. These Regulations may be called the Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988.

2. These Regulations shall come into force with effect from 30-5-1988.

3. (1) In these Regulations, unless the context requires otherwise—

(a) "Chairman" means the Chairman of the Commission, and includes the person appointed by the Governor under clause (1A) of article 316 to perform the duties of the Office of the Chairman;

(b) "Commission" means the Public Service Commission for the State of Goa;

(c) "Compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed;

(d) "Governor" means the Governor of Goa;

(e) "Government service" means any service under the Government of India or the Government of any State in India;

(f) "Member" means a member of the Commission and includes the Chairman thereof;

(g) "Secretariat" means the Secretariat of the Government of Goa;

(h) "Service for pension" includes—

(i) time spent by a member on duty as a member,

(ii) any period of absence on leave on leave salary equivalent to full pay.

(2) In the calculation of service for the purpose of these regulations, the service, if any, rendered before the commencement of these regulations, and in the case of the Chairman, the service, if any, rendered as a member of the Commission prior to his appointment to the office of the Chairman shall be reckoned as service for pension; but such previous service as a member in the case of the Chairman shall not be reckoned for purposes of additional pension under these regulations.

4. A member, who at the time of his appointment to the Commission, is in Government service, shall be deemed to have retired from such service with effect from the date of his appointment as member.

##### Part II — Composition and Pay — Members

5. To begin with the Commission shall consist of a Chairman and such other members, as may be appointed from time to time.

6. (1) Subject to the provisions of these regulations, there shall be paid to the Chairman a salary of Rs. 7300/- per mensem and to each of the other members a salary of Rs. 5900/- per mensem.

Provided that, in the case of the person who is appointed as Chairman has drawn salary of more than Rs. 7300/- at the time of his retirement, then his salary shall be fixed at the same amount of salary last drawn by him at the time of his retirement. However, this will be subject to clause (3) hereunder:

Provided further that, a member who is required to hold current charge of the duties of post of the Chairman during the latter's absence on leave or otherwise may be paid a special pay at the rate of Rs. 400/- per mensem in addition to his salary as a Member, subject to the condition that his total salary does not exceed Rs. 7300/- per mensem.

(2) The Chairman or a member who at the time of his appointment as such is in Government service and is entitled to receive pension under the rules applicable to the service to which he belongs shall, unless he elects to draw pension as contemplated in clause (2) of regulation 9, be entitled to draw salary in the scale of pay and at the rate at which he was drawing it prior to his appointment as Chairman, or as the case may be, member or at the rate as admissible under clause (1), whichever is more, till he attains the age of superannuation. On attaining the age of superannuation during his tenure on the Commission he shall draw salary as admissible to Chairman or member, as the case may be, under clause (1), reduced by the gross amount of the pension and pension equivalent of retirement benefits.

(3) The Chairman or a member who at the time of his appointment as such is a retired Government Servant, and is in receipt of pension in respect of Government service rendered by him, or who elects to draw pension as contemplated in clause (2) of regulation 9, his pay as Chairman, or as the case may be, member shall be reduced by the gross amount of the pension and pension equivalent of retirement benefits.

*Explanation:* For the purpose of this regulation the expression "pension" includes gratuity and such portion of the pension as may have been commuted, if any.

### Part III — Leave

7. A member who at the date of his appointment on the Commission is in Government service in a permanent capacity, may, even after such appointment, be granted leave under the rules applicable to him immediately before the date of such appointment, and his service as member shall count for such leave, and the leave at the credit of any such member in his leave account shall not lapse on to date of his appointment as member but shall be carried forward, and may be availed of during his tenure as member.

8. A member, who at the date of his appointment is not in Government service in a permanent capacity, may be granted leave as follows, namely: —

- (a) leave on leave salary equivalent to full pay upto one-eleventh of the period spent on duty as a member, subject to a maximum of 120 days at any one time,
- (b) leave, on medical certificate or on private affairs, on leave salary equivalent to half

pay, at the rate of twenty days in respect of each completed year of service:

Provided that, commuted leave on full pay, not exceeding half the amount of half pay leave due, may be granted, if the leave is taken on medical certificate and the authority competent to sanction such leave has reason to believe that the member will return to duty on its expiry.

- (c) extraordinary leave without allowances, subject to a maximum of 90 days at any one time.

*Explanation.* — All or any two of the above kinds of leave may be granted in combination at one time.

- (d) Leave at the credit of a member shall lapse on the date on which he vacates office on account of resignation:

Provided that a member who vacates office on account of resignation on the expiry of his office may be paid compensation as cash equivalent of leave salary in one lump-sum as a one time settlement in respect of the unutilised earned leave standing at his credit on the date on which he vacates office, subject to the condition that such compensation shall be limited to leave salary for 240 days of such leave and shall be equal to the leave salary that the member would have drawn had he availed of the leave immediately before the date of vacation of office plus the dearness allowance admissible on such leave salary, but no compensatory local allowance or house rent allowance or both shall be payable in respect of such leave.

- (2) For the purpose of determining the amount of compensation payable to a member under clause (1) of this regulation, the total amount of —

- (i) the leave salary that the member would have drawn if the leave had not been refused, and
- (ii) the pension (including the pension equivalent of other retirement benefits) to which the member is entitled from the date of vacation of office for a period equivalent to the period of leave refused,

shall be calculated separately and the total amount of pension (including the pension equivalent of other retirement benefits) referred to in clause (ii) shall then be deducted from the total amount of leave salary referred to in clause (i) and the balance shall be the amount of compensation payable to the member under clause (1) of this regulation.

### Part IV — Pension and Provident Fund

9. (1) Subject to the provisions of these regulations, a member shall, on ceasing to hold office of the member, be paid pension in accordance with the provisions of these regulations:

Provided that, no pension shall, save as provided in regulation 6 and clauses (2), (3) and (4) of this regulation, be payable to a member, if —

- (a) he has completed less than three years of service as member for pension, or
- (b) he has been removed from office under the provisions of clause (1), or sub-clauses (a) or sub-clause (b) of clause (3), of article 317 of the Constitution, or
- (c) at the date of his appointment, being a retired Government servant, is in receipt of pension or being in Government service is entitled to pension under the rules applicable to the service to which he belonged or being a retired Government servant, has received or is entitled to receive, the benefits of a contributory provident fund.

(2) A member, who at the time of his appointment as such is in the service of the Government, shall, if he elects so to do within a period of six months from the date of his appointment, as member or within six months from the commencement of these regulations whichever is later, be eligible to draw his pension and other retirement benefits under the rules applicable to the service to which he belongs with effect from the date of his appointment as member.

Provided that a member may elect to draw his pension and other retirement benefits with effect from any date between the date of his appointment as member and the date on which he attains the age of 58 years, to be specified by him while making such election, and if he does so, he shall count his service under the Commission upto the date so specified as qualifying service for the purpose of pension under clause (4) of this regulation.

(3) If the pay of any officer is reduced by the gross amount of pension and pension equivalent to the retirement benefits as provided in clause (3) of regulation 6, he shall not be entitled for any other pension for the service as Chairman or member.

(4) A member, who at the time of his appointment as such is in the service of the Government, and does not make his election as provided in clause (2) of this regulation, shall count his service under the Commission as qualifying service for the purpose of pension under the relevant rules of the Government applicable to him immediately before he entered service under the Commission:

Provided that, the retirement benefits shall be subject to the overall ceiling of the amount of retirement benefits which the Officer would have drawn had he not been appointed to the Commission and continued in service.

10. The Governor may, for special reasons, make an addition of a period which shall not exceed three months to the period of service performed by any member which under the provision of this regulation may be treated as service counting for pension.

11. A pension payable under regulation 9 shall be at the following rates, namely: —

- (i) in the case of the Chairman, rupees sixteen thousand eight hundred per annum, if he has completed six years of service; and

- (ii) in the case of a member, rupees fourteen thousand four hundred per annum, if he has completed six years of service:

Provided that, where the service rendered by a member is for a period of three years or more but less than six years, the amount of pension shall be determined in accordance with the following formula, namely: —

Completed years of service for pension shall be multiplied by the amount of the maximum pension admissible under clause (i) or clause (ii), as the case may be, and shall be divided by six.

*Explanation I.* — Where a member, who has completed not less than three years of service for pension, resigns from his post and such resignation is accepted by the Governor, pension shall be payable to such member in accordance with these regulations.

*Explanation II.* — When the total service for pension is rendered by a person partly as a member and partly as Chairman, the pension admissible to such person in each such term shall be calculated separately subject to the condition that the aggregate pension shall not exceed the pension admissible to the Chairman. If, however, the total service rendered by such person partly as a Member and partly as Chairman exceeds six years than the limit of the aggregate pension in the manner indicated above shall be rupees twenty one thousand eight hundred and forty per annum.

*Explanation III.* — The duration of service of a person as member shall be computed in terms of completed years; but if the service rendered is six months or more, additional benefit of half an year's pension shall be allowed.

12. (1) A pension granted under these regulations shall, subject to the provisions of these regulations, be payable to a member for life.

(2) A pension granted under these regulations to a member who is later appointed to the office of the Chairman shall be held in abeyance with effect from the date on which he enters upon that office, and shall be merged in the pension payable to him on his ceasing to hold that office.

(3) A pension granted under these regulations to a member shall be held in abeyance for any period during which he may hold office as Chairman or member of the Union Public Service Commission or as Chairman of any State Public Service Commission other than the Goa Public Service Commission.

13. The authority competent to sanction a pension under these regulations shall be the Governor.

14. Save as otherwise expressly provided in these regulations, the provisions of the rules applicable to the payment of retiring or superannuation pension to Heads of Major Departments shall, so far as may be, apply to the grant and payment of pensions to members.

15. A member, who at the date of his appointment was in Government service either under a

contract or otherwise, and prior to that date had been admitted to the benefits of any provident fund maintained by the Government, shall be eligible, after appointment on the Commission, to continue to subscribe to the said fund upon the same terms and conditions and subject to the same rules as previously:

Provided that, on attaining the age of fifty-eight or on the expiry of the term of his appointment specified in the contract, as the case may be, the amount standing to the credit of such member in the said fund or the balance thereof after such deductions have been made as are authorised under the rules applicable to him shall, notwithstanding anything contained in the said rules, become payable to him, and shall be paid in the manner provided in section 4 of the Provident Fund Act, 1925 (XIX of 1925).

16. A member who is not eligible under regulation 15 to continue to subscribe to a provident fund maintained by the Government or who, being so eligible has been paid the amount standing to his credit in a provident fund in accordance with the provision, to the said regulation, shall be eligible to join the General Provident Funds. On his joining the said Fund, the provisions of the General Provident Fund Rules, shall, as far as possible, apply to him.

#### Part V — Travelling Allowance

17. (1) The Chairman and other members of the Commission shall be entitled for journeys made by them in the performance of their duties to such travelling allowances and at such rates as are for the time being admissible to Heads of Major Departments:

Provided that, the Chairman and Members of the Commission when travelling on duty, shall be allowed to draw travelling allowance calculated on the route actually taken, without sanction from Government.

(2) If a member at the date of his appointment as such was in Government service and has not retired or reached the age of superannuation under the rules applicable to such service, he shall be entitled for journeys made by him to join his duty as such member to such travelling allowance, joining time and pay for joining time as would have been admissible to him under the rules applicable to such Government service if he had been transferred to any post in Government service from the post held by him at the date of his appointment as a member.

#### Part V-A — House Rent Allowance, Compensatory Allowance and Dearness Allowance

18. The Chairman and other members of the Commission shall be entitled to draw house rent allowance, Compensatory Local Allowance and Dearness Allowance as may be admissible to the members of the State Service and under the orders issued from time to time by the State Government.

#### Part VI — Composition

19. The staff of the Commission, shall be such, as the Government may, from time to time, determine:

Provided that, the Commission may, for special reasons, employ temporary staff not higher than those carrying pay scale of Rs. 1640-2900 and at a cost not exceeding Rs. 25,000/- in any one year.

#### Part VII — The Secretary, Deputy Secretaries, Under Secretaries and other Gazetted Officers

20. The Secretary shall be appointed by the Governor after consultation with the Chairman.

21. (1) The Secretary shall hold office for such period as may be fixed at the time of his appointment:

Provided that the period of the Secretary's tenure may be extended by such further period or periods as the Governor may decide.

(2) Notwithstanding anything contained in sub-regulation (1), a person appointed as Secretary shall, unless he is granted re-employment or extension of service by the Governor, retire on attaining the age of superannuation as prescribed for members of the service to which he belongs or where he is not a member of any organised service, on attaining the age of fifty-eight years.

22. (1) The Secretary shall receive pay in the senior scale of IAS, and in addition, shall receive such allowance as the Governor may determine.

(2) Notwithstanding anything contained in sub-regulation (1), the Governor may, in any particular case, fix such pay and allowances as he may, in the special circumstances of the case, thinks proper.

23. The Deputy Secretary shall receive pay in the scale of Rs. 3000-4500 and the Under Secretary shall receive pay in the scale of Rs. 2000-3500 and in addition, shall receive such allowances as the Governor may determine.

24. In respect of all other matters, the conditions of service of the Secretary and Deputy Secretaries and Under Secretaries shall be such as are applicable to members of I.A.S./State Service, except that when they are not members of I.A.S./State Service, the authority who may impose any of the penalties prescribed in rule 49 of the Civil Services (Classification, Control and Appeal) Rules shall be the Chairman, and the appellate authority shall be the Governor.

25. The Gazetted Officers below the rank of Secretary shall be appointed by the Chairman with the approval of the Governor:

Provided that where an appointment of a Gazetted Officer in the office of the Commission is for a period not exceeding 3 months, it shall not be necessary for the Chairman to obtain the prior approval of the Governor, but the Governor shall be informed of such appointment as soon as it is made, and in any case before expiry of the period of such an appointment, subject to the condition that the same person shall not be appointed again without the specific prior approval of the Governor:

Provided further that, where the Governor has already approved the appointment of an officer for a specified period, it shall ordinarily not be neces-

sary to seek his approval again if the appointment of that officer is to be continued in the same post without any break for another specified period, subject to the condition that the same person shall not continue in the same post for a total period exceeding six months without the specific prior approval of the Governor under this proviso.

26. Every other Gazetted Officer shall, receive such pay and allowances as the Governor may, by general or special order, from time to time determine.

27. In respect of all other matters, the conditions of service of other Gazetted Officers, if any, shall be such as are applicable to a member of a Class II State Service, except that —

- (1) the authority who may grant leave and sanction pension and gratuity to other Gazetted Officers, if any, shall be the Chairman; and
- (2) the authority who may impose any of the penalties prescribed in rule 49 of the Civil Services (Classification, Control and Appeal) Rules shall be the Chairman and the appellate authority shall be the Governor.

#### Part VIII — Ministerial Establishment

28. (1) The Superintendents, Assistants, Stenographers, Accountants, Drivers, Lower Division Clerks and Other Group 'C' staff and Typists shall be appointed by the Secretary:

Provided that the previous approval of the Chairman shall be required to any appointment to a post carrying pay scale of not less than Rs. 950-1500 per mensem.

(2) The staff referred to in sub-regulation (1) shall receive pay and allowances as follows: —

- (a) those recruited after the commencement of these regulations, according to the rates and on the conditions prescribed from time to time for new entrants to corresponding grades in the Secretariat:

Provided that in the case of holders of posts of a special character for which there are no corresponding grades in the Secretariat, the Governor may fix such pay and allowances as he may in the special circumstances of the case think proper.

29. The ministerial establishment shall be subject to the same conditions of service as the personnel corresponding grades in the Secretariat who were recruited at the same time, save that the authority who may impose any of the penalties prescribed in rule 11 of the Central Civil Service (CCA) Rules 1965 be the Secretary and the appellate authority shall be the Chairman.

#### Part IX — Group 'D' Servants

30. Group 'D' servants shall be appointed by the Secretary and their pay, allowances and conditions of service shall be the same as those of the corresponding grades in the Secretariat, save that the authority who may impose any of the penalties prescribed shall be the Secretary, and the appellate authority shall be the Chairman.

#### Part X — Miscellaneous

31. In respect of any matters for which special provision is not made by these regulations, the conditions of service of a person serving as a member of the Commission or of its staff shall be governed by the rules and orders for the time being applicable to such classes of Government servants as shall be specified by the Governor.

32. During the absence of the Chairman on leave or otherwise, the current charge of the duties of the Chairman under these regulations shall be held by such member as may be designated in this behalf by the Governor.

33. Where Government is satisfied that the operation of any of these regulations causes or is likely to cause undue hardship in the case of the Chairman or any Member who at the date of his appointment on the Commission was in Government service, it may by an order in writing exempt any such Chairman or Member from any provisions of these regulations or may direct that such provisions shall apply to such Chairman or Member with such modifications as may be specified in such order.

By order and in the name of the Governor of Goa.

N. P. Gannekar, Joint Secretary (Personnel).

Panaji 24th May, 1988.

#### Notification

18/11/87-PER

In exercise of the powers conferred by the proviso to clause (3) of Article 320 of the Constitution, the Governor of Goa hereby makes the following regulations, namely: —

1. These regulations may be called the Goa Public Service Commission (Exemption from Consultation) Regulations, 1988.

2. These regulations shall come into force with effect from 30th May, 1988.

3. In these regulations, unless the context otherwise requires, —

- (a) "Constitution" means the Constitution of India;
- (b) "Commission" means the Goa Public Service Commission;
- (c) "Government" means the Government of Goa;
- (d) "Governor" means the Governor of Goa;
- (e) "Schedule" means the Schedule appended to these regulations.

4. It shall not be necessary to consult the Commission in regard to any of the matters mentioned in sub-clauses (a) and (b) of clause (3) of Article 320 of the Constitution in the case of the services and posts specified in the Schedule to these Regulations.



5. Save as otherwise expressly provided in the rules governing recruitment to the civil service or civil post concerned, it shall not be necessary to consult the Commission in regard to the selection for appointment —

- (a) to a post included in All India Service, of any Officer who is already a member of an All India Service;
- (b) to a post included in a State Service Group 'A', of any Officer who is already a member of an All India Service or a State Service, Group 'A'; and
- (c) to a State Service, Group 'B' or to a post included in a State Service, Group 'B', of any officer who is already a member of a State Service, Group 'B', or State Service, Group 'C'.

*Note:* In this regulation, the terms "State Service" means Goa State Service, "Officer" means a person holding the post in the concerned service in accordance with the relevant Recruitment Rules.

6. (1) It shall not be necessary to consult the Commission in regard to the selection for a temporary or officiating appointment to a post, if —

- (a) the person appointed is not likely to hold the post for a period of more than one year; and
- (b) it is necessary in the public interest to make the appointment immediately and a reference to the Commission will cause undue delay:

Provided that —

- (i) such appointment shall be reported to the Commission as soon as it is made;
- (ii) if the appointment continues beyond a period of six months, a fresh estimate as to the period for which the person appointed is likely to hold the post shall be made and reported to the Commission; and
- (iii) if such estimate indicates that the person appointed is likely to hold the post for a period of more than one year from the date of appointment, the Commission shall immediately be consulted in regard to the filling of the post.

7. (1) It shall not be necessary to consult the Commission in regard to the making of any order in any disciplinary case other than —

- (a) an original order by the Governor imposing any of the following penalties: —
  - (i) censure;
  - (ii) withholding of increments or promotion;
  - (iii) recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders;

- (iv) reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;

- (v) reduction to a lower time-scale of pay, grade, post or service with or without further directions regarding conditions of restoration to the grade or post or service from which the Government servant was reduced and his seniority and pay on such restoration to that grade, post or service;

- (vi) compulsory retirement;

- (vii) removal from service;

- (viii) dismissal from service;

- (b) an order by the Governor on an appeal against an order imposing any of the said penalties made by a subordinate authority;

- (c) an order by the Governor over-ruling or modifying, after consideration of any petition or memorial, or otherwise, an order imposing any of the said penalties made by the Governor or by a subordinate authority;

- (d) an order by the Governor imposing any of the said penalties in exercise of his powers of review and in modification of an order under which none of the said penalties have been imposed.

(2) It shall not be necessary for the Governor to consult the Commission in any case where the Governor proposes to make an order of dismissal, removal, or reduction in rank after being satisfied that such action is necessary in the interest of the security of the State.

8. It shall not be necessary to consult the Commission in regard to any matter mentioned in sub-clause (d) of clause (3) of Article 320 of the Constitution —

- (a) in the case of a person belonging to State Service Group 'C' or State Service Group 'D';
- (b) in any other case, where the Government has accepted the claim of the Government servant.

9. It shall not be necessary to consult the Commission in regard to any of the matters mentioned in sub-clause (e) of clause (3) of Article 320 of the Constitution in the case of a person belonging to a State Service Group 'C' or State Service Group 'D'.

#### SCHEDULE

(1) Posts in respect of which the authority to appoint is specifically conferred on the Governor by the Constitution.

(2) Posts of Chairman or Member of any Board, Tribunal, Commission, Committee or other similar authority created by or under the provisions of a Statute.

(3) Posts of Chairman or Members of any Board, Tribunal, Commission, Committee or other similar body appointed by or under the authority of a resolution of the State Legislature or by a resolution of the Government for the purpose of conducting any investigation or enquiry into or for advising the Government on specified matters.

(4) Posts on the personal staff attached to holders of posts mentioned in items (1) to (3) above.

(5) Posts of Private Secretary to the Speaker and Private Secretary to the Deputy Speaker of the State Legislature.

(6) District Judges, Sessions Judges, Additional District Judges and Additional Sessions Judges in the State.

(7) All civil and criminal judicial posts in the State under the control of the High Court.

(8) All Class Group 'C' and Class Group 'D' Services and posts save as otherwise expressly provided in the relevant rules or orders governing recruitment thereto.

(9) All posts on the personal, secretariat and household establishments of the Governor.

(10) Any service or post or class of posts in respect of which the Commission has agreed that it shall not be necessary for it to be consulted.

By order and in the name of the Governor of Goa.

N. P. Gaunekar, Joint Secretary (Personnel).

Panaji, 26th May, 1988.

#### Law (Legal and Legislative Affairs) Department

##### Notification

7-20-88/LA

The Goa Registration of Tourist Trade (Amendment) Act, 1988 (Goa Act No. 10 of 1988), which has been passed by the Legislative Assembly of Goa on 21-3-1988 and assented to by the Governor of Goa on 21-5-1988 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 24th May, 1988.

#### The Goa Registration of Tourist Trade (Amendment) Act, 1988

(Act No. 10 1988) [21-5-1988]

AN

ACT

*further to amend the Goa, Daman and Diu Registration of Tourist Trade Act, 1982.*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa Registration of Tourist Trade (Amendment) Act, 1988.

(2) It shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), for clause (c), the following clause shall be substituted, namely:—

“(c) ‘dealer’ means a person carrying on in a tourist area the business of selling any notified articles, whether wholesale or retail, and whose stocks/turnover of the said notified articles exceeds 50% of their total stocks/turnover, and includes his agent or employee transacting business on his behalf.”

Secretariat,

Panaji,

Dated:

24th May, 1988.

M. RAGHUCHANDER

Secretary to the

Government of Goa,

Law Department (Legal Affairs)

##### Notification

7-15-88/LA

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 1988 (Goa Act No. 11 of 1988) which has been passed by the Legislative Assembly of Goa on 8-4-1988 and assented to by the Governor of Goa on 21-5-1988 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 24th May, 1988.

#### The Goa Buildings (Lease, Rent and Eviction) Control

(Amendment) Act, 1988

(Act No. 11 of 1988)

AN

ACT

*further to amend the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969).*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 1988.

(2) It shall come into force at once.

2. *Amendment of Section 23.*—In sub-section (1) of sub-section 23 of the Goa Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969) (hereinafter called the ‘Principal Act’) after the first proviso the following proviso shall be inserted namely:—

“Provided further that in case of gift from parents the above period of five years shall be reduced to two years”.

Secretariat,

Panaji,

Dated:

25th May, 1988.

M. RAGHUCHANDER

Secretary to the

Government of Goa,

Law Department (Legal Affairs)

## Notification

7-10-88/LA

The Land Acquisition (Goa Amendment) Act, 1988 (Goa Act No. 12 of 1988) which was passed by the Legislative Assembly of Goa on 29-3-1988 and assented to by the Governor of Goa on 21-5-1988 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 24th May, 1988.

The Land Acquisition (Goa Amendment) Act, 1988

(Act No. 12 of 1988)

AN

ACT

*further to amend the Land Acquisition Act, 1894.*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Land Acquisition (Goa Amendment) Act, 1988.

(2) It shall come into force at once.

2. *Insertion of new sections.* — After section 3 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), the following sections shall be added, namely:—

“3 — A. *Preliminary survey of lands and powers of officers to carry out survey.* — For the purpose of enabling the State Government to determine whether land in any locality is needed or is likely to be needed for any public purpose, it shall be lawful for any officer of the State Government in the Public Works Department, or any other officer either generally or specially authorised by the State Government in this behalf, as the case may be, —

- (i) to enter upon and survey and take levels of any land in such locality;
- (ii) to mark such levels;
- (iii) to do all other acts necessary to ascertain whether the land is adapted for such purpose; and
- (iv) where otherwise the survey cannot be completed and the levels cannot be taken, to cut down and clear away any part of any standing crop, fence or jungle:

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling house (unless with the consent of the occupier thereof), without previously giving such occupier at least seven days' notice in writing of his intention to do so.

“3 — B. *Payment for damage.* — The officer of the State Government in the Public Works Department, and any other officer so authorised shall, at the time of such entry, pay or tender payment of all necessary damage to be done as aforesaid, and, in case of dispute as to the sufficiency of the amount so paid or tendered; shall at once refer the dispute to the decision of the Collector or other Chief Revenue Officer of the district, and such decision shall be final.”

Secretariat,

Panaji,

Dated:

25th May, 1988.

M. RAGHUCHANDER

Secretary to the

Government of Goa,

Law Department (Legal Affairs)

## Notification

7-17-88/LA

The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 1988 (Goa Act No. 13 of 1988) which was passed by the Legislative Assembly of Goa on 5-4-1988 and assented to by the Governor of Goa 21-5-1988 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 25th May, 1988.

The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 1988

(Act No. 13 of 1988)

AN

ACT

*further to amend the Goa Legislative Diploma No. 2070 dated 15-4-1961 in its application to the State of Goa.*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India, as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 1988.

(2) It shall come into force at once.

2. *Amendment of Article 64.* — In Article 64 of the Goa Legislative Diploma No. 2070 dated 15-4-1961 (hereinafter referred to as the “principal Act”), for sub-clause (c) of clause (4), the following clause shall be substituted, namely:—

“C) In deposits in such manner as the Government may prescribe.”

Secretariat,

Panaji,

Dated:

25th May, 1988.

M. RAGHUCHANDER

Secretary to the

Government of Goa,

Law Department (Legal Affairs)



**Notification**

7-12-88/LA

The Goa Land Revenue Code (Amendment) Act, 1988 (Goa Act No. 14 of 1988) which was passed by the Legislative Assembly of Goa on 6-4-1988 and assented to by the Governor of Goa on 21-5-1988 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 25th May, 1988.

The Goa Land Revenue Code (Amendment) Act, 1988

(Act No. 14 of 1988)

AN

ACT

*further to amend the Goa Land Revenue Code, 1968.*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Goa Land Revenue Code (Amendment) Act, 1988.

(2) It shall come into force at once.

2. *Amendment of section 32.* — In section 32 of the Goa Land Revenue Code, 1968 (Act 9 of 1969),—

(i) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Collector shall take a decision on the application within a period of sixty days from the date of receipt of the application and in case of his failure to do so, the person shall have the right to make an appeal to the Secretary (Revenue) to the Government who shall dispose of the appeal within a period of thirty days from the date of filing of appeal.”.

(ii) In sub-section (4), the words “or deemed to have been granted” shall be deleted.

Secretariat,

Panaji,

Dated:

25th May, 1988.

M. RAGHUCHANDER

Secretary to the

Government of Goa,

Law Department (Legal Affairs)